

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WENDELL LONG,	:	
	:	
Petitioner	:	
	:	
vs.	:	CIVIL NO. 1:CV-08-0943
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE,	:	
	:	
Respondent	:	

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

We are considering the Report and Recommendation of the Magistrate Judge recommending that we deny Petitioner's writ of habeas corpus. Petitioner objects to the finding that his petition fails to meet his burden on his *Ex Post Facto* and Due Process claims. Since objections were filed, the Court must "make a *de novo* determination of those portions of the report or specified proposed finding or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(c).

After review of the record, we agree with the Magistrate Judge's determination that Petitioner has failed to meet his burden on his *Ex Post Facto* and Due Process claims. We see no

reason for further comment as we agree with the reasoning of the Magistrate Judge.<sup>1</sup>

AND NOW, this 2nd day of February, 2009, it is ordered that:

1. The Magistrate's Report (doc. 11) filed December 17th, 2008, is adopted.

2. Petitioner's objections are denied.

3. Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. 1) is denied.

4. A certificate of appealability is denied.

5. The Clerk of Court shall close this file.

/s/William W. Caldwell  
William W. Caldwell  
United States District Judge

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<sup>1</sup> We note that the citation for *Coady v. Vaughn* on page 7 of the Magistrate Judge's report should read *Coady v. Vaughn*, 251 F.3d 480, 487 (3d Cir. 2001).